



**REQUEST FOR CONTINUED EXAMINATION
(RCE) TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

RCE 1626
ITW

Application No.: 10/089,433
Filing Date: March 29, 2002
First Named Inventor: Marino, Jr., et al.
Group Art Unit: 1626
Examiner: R. L. Anderson
Attorney Docket No.: P51034

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, MAIL STOP: RCE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

NAME: Audrey Boyd

DATE: December 16, 2004

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000) 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____.
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
iii. ☐ Other _____

b. ☒ **Enclosed**

- i. ☒ Amendment/Reply 8 pages
ii. ☐ Affidavit(s)/Declaration(s) _____ pages
iii. ☐ Information Disclosure Statement (IDS) _____ pages
iv. ☐ Form PTO 1449 _____ pgs. & _____ References
v. ☒ Return Receipt Postcard (MPEP 503) (specifically itemized)
vi. ☒ Other: Substitute Specification

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103 (c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(I) required)
- b. ☐ Other _____

3. FEES The RCE fee under 37 C.F.R. § 1.117(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees or credit any overpayments, to

Deposit Account No. 19-2570.

☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e). \$790.00
ii. ☒ (2) Month Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iii. ☒ Additional Fees

- iv. ☒ **Total Fee to be charged to Deposit Account 19-2570**

CORRESPONDENCE ADDRESS

Address GLAXOSMITHKLINE
Corporate Intellectual Property – UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Telephone (610) 270-5012 Facsimile (610) 270-5090

RESPECTFULLY SUBMITTED,

Signature Kathryn L. Sieburth
NAME Kathryn L. Sieburth

Registration No. 40,072



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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON December 16, 2004

Audrey Boyd

December 16, 2004
DATE

Attorney Docket No.: P51034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Marino, Jr., et al.	December 16, 2004
Appln. No.:	10/089,433	Group Art Unit: 1626
Filed:	March 29, 2002	Examiner: R.L. Anderson
For:	1,2,4-TRIAZOLE DERIVATIVES, COMPOSITIONS, PROCESS OF MAKING AND METHODS OF USE	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. § 1.114

Sir:

Please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 7 of this paper.